

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

FRANCISCO AMEZCUA-PICAZO,

Petitioner,

V.

PATRICK GLEBE.

Respondent.

CASE NO. C13-5580 RJB-JRC
ORDER

The Court, having reviewed the Report and Recommendation of Magistrate Judge J. Richard Creatura, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and ORDER:

1. The Court adopts the Report and Recommendation;
 2. Petitioner's habeas corpus petition is denied. Grounds for relief two through five are procedurally barred and ground for relief one does not merit relief because counsel's decision not to object to certain identification testimony was not ineffective assistance of counsel.
 3. No Certificate of Appealability will be issued.
 4. The Clerk is directed to send a copy of this Order to plaintiff, and to the Hon. J. Richard Creatura.

DATED this 21st day of May,2014.

Robert Bryan

ROBERT J. BRYAN
United States District Judge